THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.19993 of 2007

Between:

Dama Veera Brahmaiah. … Petitioner

and

The Joint Collector, Prakasham District and others. … Respondents

THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.19993 of 2007

ORDER:

It is stated that against grant of pattadar pass book in favour of the petitioner, the 4th respondents and two others filed an appeal before the 2nd respondent. The 2nd respondent disposed of the said appeal on 04-05-2007 in proceedings No.D.Dis.1407/2006, directing the 1st appellant therein-4th respondent herein to approach the civil court for deciding his share. In the meanwhile, the pattadar pass books and title deeds issued by the Mandal Revenue Officer., V.V.Palem in favour of the 1st appellant therein-4th respondent herein and the 1st respondent therein-petitioner herein are hereby cancelled. Further, the Mandal Revenue Officer, V.V.Palem, is directed to take further action for issuance of fresh pattadar pass books and title deeds in favour of the individuals subject to the orders of the civil courts/registration partition deed, if any filed by the individuals. Aggrieved by the said order, the petitioner filed a revision before the 1st respondent. The 1st respondent through order, dated 29-06-2007, in L.Dis.No.2279/2007 (D2), dismissed the revision at the admission stage.

Learned counsel appearing for the petitioner submits that the 1st respondent dismissed the revision without considering the contentions raised in the revision and, therefore, the same is liable to be set aside.

I am of the opinion that whenever a revision is filed, it is for the Revisional Authority to pass appropriate orders, in accordance with law, after considering the contentions raised in the revision. Admittedly, the 1st respondent passed the impugned order without considering the contentions raised in the revision and, therefore, the same is liable to be set aside.

Accordingly, the writ petition is allowed setting aside the order passed by the 1st respondent in L.Dis.No.2279/2007 (D2), dated 29-06-2007, and remanded the matter to the 1st respondent, to consider and pass appropriate orders, in accordance with law, after giving reasonable opportunity to the petitioner as well as the 4th respondent, as expeditiously as possible. There shall be no order as to costs.

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20-09-2007

Prv